

## CHAPTER 368

H.B. No. 2165

## AN ACT

relating to reinstatement provisions to the pension fund for firemen and policemen.

*Be it enacted by the Legislature of the State of Texas:*

SECTION 1. Chapter 105, Acts of the 47th Legislature, Regular Session, 1941 (Article 6243f, Vernon's Texas Civil Statutes), is amended by amending Section 7(b) and adding Sections 7(f) and 7(g) to read as follows:

Sec. 7(b). Any person who is duly appointed and enrolled as a Fireman or Policeman of such city in a position or office expressly established and classified as a position or office in either of said departments by ordinance of the city council or other governing body of such city, and who, after such due appointment and enrollment serves the probationary period in such position or office, if any, shall automatically, after six (6) months of service, become a member of the Pension System as a condition of his employment, provided such person at the time of such appointment was not less than eighteen (18) years of age and had not reached his thirty-sixth (36th) birthday, *provided:*

(1) *former pension fund members who have reentered the Fire or Police Department will not be barred from membership in the Fund because of age as long as they can qualify for a thirty (30) year pension by or before their sixty-fifth (65th) birthday;*

(2) *providing that they file a letter of intent to rejoin the Fund within ninety (90) days after the effective date of this subdivision and within one hundred eighty (180) days after such effective date pay into the Fund, in full, any amount equal to that which they would have contributed thereto had they been reinstated in the Fund when they had been reemployed as members of the Fire or Police Department, and had served the prescribed probation period up to the date of such payment;*

(3) *those reinstated in either Department after the effective date of this subdivision, if qualifying under the conditions set out in Subdivision (1) above, shall be reinstated immediately in the Fund as soon as they are otherwise duly appointed and enrolled members of either Department.*

Sec. 7(f). *Members of this Pension Fund who were called to active military service during the period January 1, 1958, to December 31, 1964, inclusive, and who have not heretofore complied with the provisions of Section 7(c) of this Act may, within 90 days of the effective date of this section, file a written statement of intent and then make a contributory payment within 180 days of the effective date of this Act equal to that which they would have contributed to the Fund had they been an active member of the Fund during such period of military service.*

Sec. 7(g). *For the purposes of this Act the term "called to active military service" shall mean involuntary service or service under the threat of being called for involuntary military service.*

SECTION 2. This Act takes effect September 1, 1987.

SECTION 3. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended.

Passed by the House on May 8, 1987, by a non-record vote; and that the House concurred in Senate amendments to H.B. No. 2165 on May 27, 1987, by a

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non-record vote. Passed by the Senate, with amendments, on May 23, 1987, by the following vote: Yeas 30, Nays 0.  
Approved June 11, 1987.  
Effective Sept. 1, 1987.